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ORANGE CO., C.S.C.

BY



Return to: Anne Marie Tosco, Associate Attorney, Orange County, P.O. Box 8181,
Hillsborough, North Carolina 27278

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

ORANGE COUNTY

SUPERIOR COURT DIVISION
17 CVS 243

ORANGE COUNTY, a North Carolina
County,

Plaintiff,

v.

Deborah Winstead, State Employees' Credit
Union

Defendants.

)
)
) **FINAL CONSENT JUDGEMENT**
) (EMINENT DOMAIN ACTION)
)

) **(N.C. Gen. Statutes Chapter 40A – 54)**
)
)
)

This cause came to be heard before the undersigned Superior Court Judge, upon a motion by the Plaintiff for final judgment pursuant, and it further appearing to the Court and the Court finding as fact that:

1. This action was duly instituted on February 20, 2017, by the issuance of summons and the filing of a Complaint, Declaration of Taking, and Notice of Deposit, along with the deposit into the Court of two thousand and two dollars and ninety cents (\$2,002.90), the sum estimated by Plaintiff to be just compensation for the taking of the Defendant's property described in the Complaint, Declaration, and Notice, which property is described hereinafter as "the condemned property."
2. This condemnation action is taken by Orange County ("County") to promote the public safety and welfare, to provide for construction and installation of a sanitary sewer line for the Historic Rogers Road area of Orange County, North Carolina.

3. Not less than 30 days prior to the filing of the complaint, Plaintiff provided notice required in the manner set forth in G.S. §40A-40.
4. Summons, together with a copy of the Complaint, Declaration, and Notice, were duly served upon the Defendants, who represents all the parties having or claiming to have an interest in the property.
5. There are no issues in dispute concerning authorization to condemn, necessary parties, title to the land, or area taken, and the only unresolved matter is the amount of just compensation for the property taken.
6. All parties have agreed to final disposition of this matter on the terms described in this Consent Judgment.
7. The parties agree that just compensation for the condemned property acquired by Plaintiff by eminent domain is eighteen thousand dollars (\$18,000.00).

WHEREUPON, THE COURT CONCLUDES AS A MATTER OF LAW THAT:

1. Plaintiff Orange County was entitled to acquire by condemnation and did acquire the condemned property.
2. The sum of eighteen thousand dollars (\$18,000.00) is just compensation for the condemned property acquired by Plaintiff by eminent domain.
3. These proceedings, as far as is disclosed by the pleadings, are regular in all respects, and no reason exists not to enter final judgment.

NOW THEREFORE, IT IS ADJUDGED AND ORDERED that:

1. Final judgement is hereby entered.
2. Plaintiff, Orange County, on February 20, 2017, by the filing of a Complaint, Declaration of Taking, and Notice of Deposit, was permanently vested with title to the CONDMNED PROPERTY, located in Orange County, North Carolina and identified by PIN 9870-43-1755 and further described as follows:

DESCRIPTION OF THE SANITARY SEWER UTILITY EASEMENT

Being part of the property as recorded in Deed Book 943 at Page 589, Orange County Registry, containing 5,441 square feet as described in the attached map prepared by Jeffrey S. Munn, for Orange County entitled "Sewer Easement Exhibit Prepared for Orange Water & Sewer Authority Property of Deborah Winstead-Mann" dated February 29, 2016.

3. The PROPERTY INTEREST taken is a perpetual a sanitary sewer utility easement for the Historic Rogers Road Sanitary Sewer Expansion Project, with all the rights, privileges and appurtenances belonging thereto.

4. The LAND AFFECTED is the real property located in Orange County, North Carolina, identified by PIN 9870-43-1755 and further described as follows:

Being all of the property as recorded in Deed Book 943 at Page 589, Orange County Registry, North Carolina; containing 0.92 acres as shown in the Geographic Information System for Orange County, and on the map prepared by Jeffrey S. Munn, for Orange County entitled "Sewer Easement Exhibit Prepared for Orange Water & Sewer Authority Property of Deborah Winstead-Mann" dated February 29, 2016.

5. The amount of just compensation for the property to be paid to Defendant is eighteen thousand dollars (\$18,000.00).

6. The deposit shall be disbursed by the Clerk of Court as follows: two thousand and two dollars and ninety cents (\$2002.90) payable to Deborah Winstead, located at 9500 Coachway, Chapel Hill, NC 27516.

7. Plaintiff shall cause the remaining fifteen thousand nine hundred and ninety-seven dollars and ten cents to be paid to Defendant Deborah Winstead within thirty (30) days of the execution and filing of this Consent Judgment.

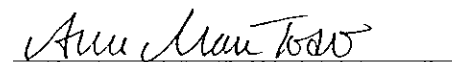
8. Plaintiff shall cause to be recorded a copy of this Consent Judgment with the Register of Deeds in any county in which the subject premises are located.

IN TESTIMONY WHEREFORE, the parties have hereunder set their hands and seals.

This is the 12th day of June, 2017.


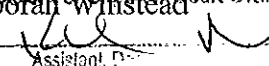

Superior Court Judge Presiding


We consent:


Anne Marie Tosco
Attorney for Plaintiff

State Employees Credit Union


By: [Print Name], [Title] Bradley T. Starnes,
SVP


Daniel McBoett
Attorney for Deborah Winstead
By:  Assistant Clerk of Court


DEFENDANT